

April 28, 1975

Pioneer and we are really discussing an amendment to Nebraska law but it has gone and I think for proper understanding of the amendment some discussion of Pioneer must be made but we cannot discuss every detail of it under this.

SENATOR DeCAMP: That statement was made that these investments were made before the state of Nebraska had any involvement. The correct statement is that a great deal of money went in after the state of Nebraska was completely involved. The statement was made that Nebraska should have no responsibility. My amendment gives them no responsibility unless...unless misfeasance is determined in the office of the Department of Insurance. I repeat, they would have to find misfeasance before there would be any liability. As to who was running Pioneer, Pioneer has been run by Director of the Department of Insurance, Mr. Jackson, openly and admittedly now for some time. He controlled 96% of the stock. So to say they have no involvement in Pioneer is a little ludicrous. I close merely by saying there is no liability, excuse me, unless misfeasance is determined. In that case...in that case, Director Jackson has an insurance policy that should be covering him and should repay, if the state of Nebraska has to pay out any money, any money. A \$50,000 insurance premium was paid for this policy so that should protect the state of Nebraska. I urge you to adopt the amendment.

PRESIDENT: Senator Cavanaugh, for what purpose do you arise?

SENATOR CAVANAUGH: I came in late but I have one question of Senator DeCamp, if that would be all right.

PRESIDENT: He was closing, Senator.

SENATOR CAVANAUGH: Relative to his closing.

PRESIDENT: Well, direct the question to the Chair.

SENATOR CAVANAUGH: What I want to know, would his amendment apply retroactively? Would it apply to Pioneer directly or to future cases like this?

PRESIDENT: All right. I think that is a proper question.

SENATOR DeCAMP: The purpose of the amendment, the understanding of the amendment, the bill drafter's purpose and direction in drafting the amendment was to make it specifically apply to Pioneer. There is no secret about that.

PRESIDENT: Thank you. The question is, the adoption of Senator...oh, yes, the question is, to return to Select File for this specific amendment? Record your vote. Have you voted? Record. Record. Senator DeCamp.

SENATOR DeCAMP: I'd ask for a Call of the House.

PRESIDENT: The question is, shall the House go under Call? Record your vote. Record.

CLERK: 22 ayes, 2 nays to go under Call.